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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,716	01/18/2002	Gregg D. Sucha	A8287	6834

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SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, NW
Washington, DC 20037-3213

EXAMINER

NGUYEN, DUNG T

ART UNIT	PAPER NUMBER
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2828

MAIL DATE	DELIVERY MODE
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12/02/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/050,716	Applicant(s) SUCHA ET AL.	
	Examiner DUNG T. NGUYEN	Art Unit 2828	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30,32,34,36,54 and 57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 34 and 36 is/are allowed.
- 6) ☒ Claim(s) 30,32,54 and 57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/24/08</u> . | 6) <input type="checkbox"/> Other: _____ |

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OFFICE ACTION

The indicated allowed claims are withdrawn due to the newly found art.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 30, 32, 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young (3626319) in view of Rochester et al. (5179612).

Young discloses a method of stabilizing a short-pulse fiber laser, comprising: isolating said fiber laser in a temperature-controlled enclosure from an external environment; and operating the fiber laser within the enclosure while utilizing the enclosure to stabilize a repetition rate of the fiber laser (entire document).

Young fails to teach “supporting said fiber laser by wrapping it onto an acoustically damped assembly”.

Rochester teach “supporting said fiber laser by wrapping it onto an acoustically damped assembly (bobbin)” in Fig.3.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Young what is taught by Rochester to obtain a long storage fiber laser life in a variety of conditions (col.2, l.3-10).

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Claim 57 is rejected under 35 U.S.C. 103(a) as being unpatentable over Young (3626319) in view of Davis (4613752).

Young disclose all limitations of the claim above except for “providing a piezoelectric transducer in communication with the laser; applying a voltage to the piezoelectric transducer, wherein the repetition rate of the laser is controlled by movement of the piezoelectric transducer; and providing a phase locked loop circuit for controlling the average repetition rate of the laser”.

Davis teaches in Fig.6A-6B “providing a piezoelectric transducer in communication with the laser; applying a voltage to the piezoelectric transducer, wherein the repetition rate of the laser is controlled by movement of the piezoelectric transducer; and providing a phase locked loop circuit for controlling the average repetition rate of the laser”.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Young what is taught by Davis to permit a phase locked loop operation in the fiber laser (col.7, l.44-68).

Allowable Subject Matter

Claims 34, 36 are allowed.

Communication Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung (Michael) T Nguyen whose telephone number is (571) 272-1949. The examiner can normally be reached on 8:30 - 17:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Min Harvey can be reached on (571) 272-1835. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-1835.

Michael Dung Nguyen

Primary Examiner

/Dung (Michael) T Nguyen/

Primary Examiner, Art Unit 2828